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2	The Honorable Ronald B. Leighton
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6	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON
7	AT TACOMA
8	CRAIG S. HOPPER,)
9	Plaintiff,) No.: C08-5715 RBL
10	vs.
11) STIPULATIONS & ORDER THE UNITED STATES OF AMERICA,) REGARDING THE PLAINTIFF'S
12	and IAP WORLDWIDE SERVICES, INC.,) THIRD AMENDED COMPLAINT
13) NOTE FOR MOTION DOCKET:
14	Defendants.) Friday, April 10, 2009
15	COME NOW the parties, by and through the undersigned attorneys, and hereby
16	stipulate to the following:
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18	1. The Plaintiff is granted leave to amend and file his Third Amended Complaint
19	(as proposed in Attachment A) upon the signing of the order attending these
20	stipulations by the Court—as this stipulation is the above-listed Defendants'
21	written consent for leave to so amend, pursuant to Federal Rule of Civil
22	Procedure 15(a)(2);
23	2. The above-listed Defendants agree to waive all service requirements pursuant to
24	
25	Federal Rule of Civil Procedure 4 regarding the service of the Third Amended
26	STIPULATIONS RE: PLAINTIFF'S 3rd AMENDED JAMES A. CONLEY
27	COMPLAINT (C08-5715RBL)-Page 1 ATTORNEY AT LAW 120 WEST DAYTON, SUITE B-6 EDMONDS, WA 98020 (425) 672-7150

Complaint and any additional process upon them, as service upon the abovelisted Defendants will be considered perfected upon the Plaintiff's electronic filing of the Third Amended Complaint with the Court; and,

- 3. The Plaintiff stipulates that the above-listed Defendants will be allowed twenty (20) days to file with the Court their Answers to the Third Amended Complaint after the filing of said complaint.
- 4. Counsel for Defendant IAP Worldwide Services, Inc. states that he will be also representing the Defendant added to the case in the Third Amended Complaint (i.e., IAP World Services, Inc.), and, as such, he is authorized by IAP World Services, Inc. to accept service of the Third Amended Complaint and any additional process (or copies thereof) on its behalf.
- 5. Added Defendant IAP World Services, Inc. agrees that service as described in paragraph 4 above may occur through the Plaintiff's delivery of the Third Amended Complaint and any additional process (or copies thereof) to him through a certified mailing to his office. Further, added Defendant IAP World Services, Inc. agrees that such service upon counsel will satisfy all service requirements of Federal Rule of Civil Procedure 4 regarding the service of the Third Amended Complaint and any additional process upon it.
- 6. The parties agree that the Plaintiff will have sixty (60) days after the Clerk's issuance of an amended Summons to effect service upon added Defendant IAP World Services, Inc. The Defendant IAP World Services, Inc. will have twenty

1	(20) days to file with the Court its Answer to the Third Amended Complaint
2	after service/receipt of the Third Amended Complaint and any additional
3	process (or copies thereof).
4	7. The Defendants agree that the Third Amended Complaint, once filed with the
5	Court, relates back to the date of the original pleading filed in this case (i.e.,
6	November 26, 2008) pursuant to Federal Rule of Civil Procedure 15(c).
7	STIPULATED TO this 10 th day of April, 2009.
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9	<u>s/Clarence C. Jones</u> Clarence C. Jones, WSBA #27678
10 11	Gierke, Curwen, Dynan & Jones, P.S. 2102 North Pearl Street, D-400
12	Tacoma, WA 98406 Ph#: (253) 752-1600
13	cjones@gcmelaw.com
14	<u>s/James A. Conley</u> JAMES A. CONLEY,WSBA#18497
15	Co-counsel for Plaintiff 120 West Dayton, Suite B-6
16	Edmonds, WA 98020 Ph#: (425) 672-7150 Fax#: (425) 672-8599
17	E-mail: jamesconley@earthlink.net
18	<u>s/Patricia D. Gugin</u> PATRICIA D. GUGIN, PABA#54927
19	Assistant United States Attorney 1201 Pacific Avenue, Ste. 700
20	Tacoma, WA 98402 Ph#: (253) 428-3832 Fax#:(253) 428-3826
21	E-mail: pat.gugin@usdoj.gov
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1 ORDER OF THE COURT 2 THE COURT, having been informed of the parties' stipulations regarding the 3 Plaintiff's Third Amended Complaint, endorses the above-listed stipulations thusly: 4 They are so ordered. 5 DATED this 13th day of April, 2009. 6 7 RONALD B. LEIGHTON 8 UNITED STATES DISTRICT JUDGE 9 Presented by: 10 s/James A. Conley JAMES A. CONLEY, WSBA#18497 11 Co-counsel for Plaintiff 120 West Dayton, Suite B-6 12 Edmonds, WA 98020 13 Ph# (425) 672-7150 Fax#: (425) 672-8599 14 E-mail: jamesconley@earthlink.net 15 Approved as to form and content: 16 s/Clarence C. Jones 17 Clarence C. Jones, WSBA #27678 Gierke, Curwen, Dynan & Jones, P.S. 18 2102 North Pearl Street, D-400 Tacoma, WA 98406 19 Ph#: (253) 752-1600 E-mail: cjones@gcmelaw.com 20 21 s/Patricia D. Gugin PATRICIA D. GUGIN, PABA#54927 22 **Assistant United States Attorney** 1201 Pacific Avenue, Ste. 700 23 Tacoma, WA 98402 Ph#: (253) 428-3832 24 Fax#: (253) 428-3826 25 E-mail: pat.gugin@usdoj.gov

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STIPULATIONS RE: PLAINTIFF'S 3rd AMENDED